

**Introduced by Senator Figueroa**

February 22, 2006

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An act relating to small business development.

LEGISLATIVE COUNSEL'S DIGEST

SB 1436, as introduced, Figueroa. Small business: regulation process.

Existing law generally sets forth the procedures for the adoption and enforcement of regulations by state agencies.

This bill would state the intent of the Legislature to enact legislation to assist small businesses in complying with regulatory standards designed to protect the public and to allow small businesses to correct minor violations before the business is subject to punitive regulatory action for a first offense by establishing specified requirements as part of the regulatory process.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. (a) It is the intent of the Legislature to enact
- 2     legislation to assist small businesses in this state in complying
- 3     with regulatory standards designed to protect the public.
- 4     (b) It is further the intent of the Legislature to enact legislation
- 5     to allow small businesses in this state to correct minor violations
- 6     before the business is subject to punitive regulatory action for a
- 7     first offense, by establishing, as part of the process of
- 8     promulgation and enforcement of state regulations, both of the
- 9     following requirements:

- 1 (1) That information be provided by the regulatory agency by  
2 printed material or electronically, including at the agency's  
3 Internet website, to all small businesses, as defined for that  
4 purpose, that would state in clear, plain language the actions  
5 required to comply with the regulation.
- 6 (2) That notice of non-compliance be provided to a small  
7 business, as defined for that purpose, in violation of a regulation,  
8 prior to the initiation of any punitive action in the enforcement of  
9 the regulation, except in cases of danger to public health and  
10 safety.